

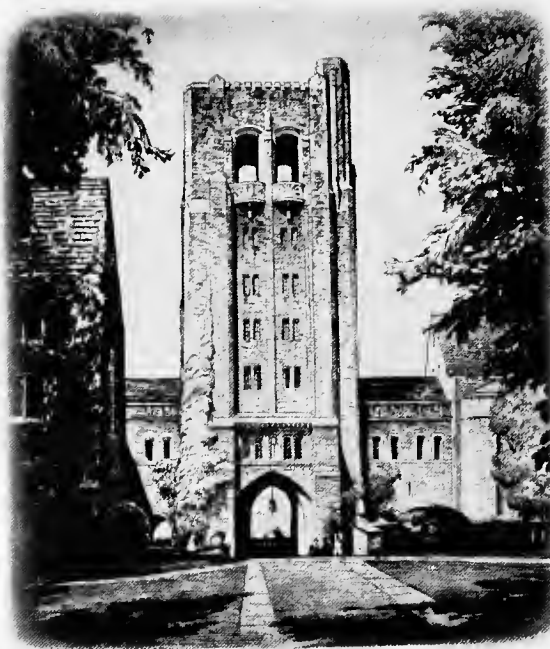
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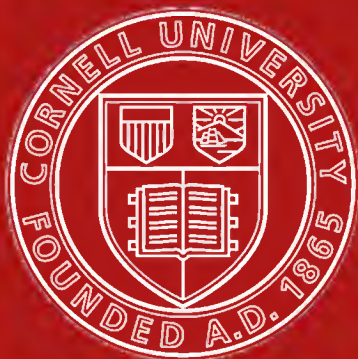
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Review

OF THE

Association of the Bar

OF THE

City of New York.

Together with

Portraits and Autographs of Officers and Members

Brought Down to the Year 1900

BY

FRANK THOMPSON

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STUMPF & STEURER, Publishers.

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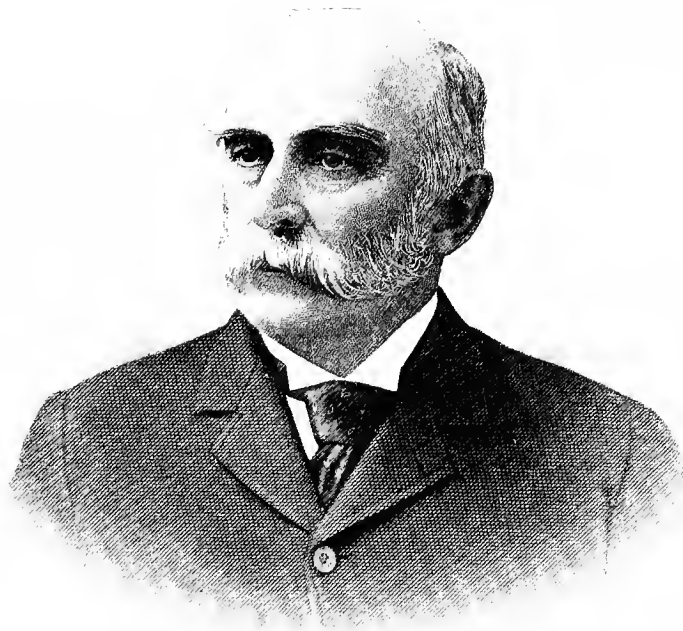
There being no other illustrated review extant of the history of the Association of the Bar of the City of New York, the following pages possess the merit of originality, and as such should appeal to the favorable consideration of the fraternity. Among the members of the New York Bar there have always been names of the highest eminence in jurisprudence. A considerable majority of the lawyers actively engaged in practice in the higher courts are members of this association at the present time. A series of photographs, and the signatures of the more prominent among these gentlemen, which this volume presents, must also enhance its interest and value. These are arranged in the sequence of the admission of their subjects to membership in the association. The building which was erected for the use of this organization is a work of the highest architectural beauty and utility. A number of illustrations depicting details of its construction are given in these pages.

FRANK THOMPSON.

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NOTE:—The date underneath each member's portrait shows year of admission to the association.



James E. Carter

PRESIDENT

1884 and 1885.

1897 to 1900.

REVIEW OF THE ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK.



THE careful consideration of the history of those few years which immediately preceded our Revolution must inevitably cause the student's attention to be directed to the unanimity which existed among members of the legal profession in New York City in opposing the exactions of the British Government. While a few members of the bar, the De Lanceys, Harrisons and Clarkes, constituted themselves the champions of the Crown, the main body under such leaders as Livingstone, Smith, Morris and Alexander staunchly defended the cause of the people and aided in the work of preparing this state when the moment arrived to join with the other colonies in casting off allegiance to the mother country. Though no formal association seems ever to have existed as such, there was a continuous and sustained effort against royal oppression, nor was there ever a time when the cause of liberty lacked a defender from among the ranks of the bar. One of the earliest cases to which we may point for illustration was destined to settle for all time in New York the question of the liberty of the press. Upon the death of Governor Montgomery, his place was filled for a short time by Mr. Rip Van Dam, President of the Council, until the arrival of Colonel William Cosby, his successor, in August, 1732. The first act of the new governor was to bring proceedings against Van Dam to recover half of the salary received by the latter as acting governor, his claim being founded upon an order directed to Van Dam and emanating from the Council in England. Van Dam resisted, and at the trial was defended by William Smith and James Alexander, the leaders of the New York City bar, who boldly denied the authority of the Royal Council or even of the King himself, without the consent of Parliament, to legislate for New York, making in fact, though

not of course in name, an appeal for independence.¹ Chief Justice Morris delivered an opinion in favor of Mr. Van Dam, his associates De Lancey and Philipse dissenting. The enraged Governor at once removed him, appointing De Lancey in his stead. Shortly afterwards, the New York Weekly Journal was started under the patronage of Van Dam, who used it as an engine against the Government, many of its articles being written by Smith and Alexander. In 1734, a suit for libel was instituted against the publisher, John Peter Zenger, and at the trial Smith and Alexander objected to the validity of the judges' appointments upon the ground that they had been made "during pleasure" and not "during good behavior." The point was also raised that Chief Justice Morris had been improperly removed from office, this having been done without the consent of Council. De Lancey immediately disbarred them. "You have brought it to the point," he said, "that either we must go from the bench or you from the bar."² Their place was immediately taken by Andrew Hamilton, a member of the Philadelphia Bar, and in spite of the fact that the Chief Justice refused to permit the truth of the article to be shown and charged the jury that they must convict, he secured a verdict of acquittal.

Undeterred by the example of his predecessors, Lieutenant Governor Cadwalader Colden, in 1763, undertook to enforce the doctrine that an appeal might be taken to himself and council from a decision of a common law court upon which not only the rulings of law but also the findings of fact might be reviewed. This action the entire bar declared unconstitutional, and such appeals the judges refused to admit, the Chief Justice (Horsemanden) delivering an address in Council giving his reasons for the action taken by him, which was afterwards printed and circulated to the infinite resentment of Colden.³ Not a single lawyer could be found by the Lieutenant Governor who was willing to argue his cause. This course of action upon the part of the legal fraternity induced Colden to bitterly attack the New York Bar in his correspondence with the Home Government and to complain of the

(1) Memorial History of the City of New York, Vol. II, p. 218.

(2) Memorial History of New York City. Vol. II, p. 240.

(3) Lamb's History of the City of New York, Vol. I, p. 712.

pernicious influence exercised by them. "Whatever be done in this place," he observed in a letter to Sir William Johnson, dated December 10, 1764, "I am very confident I shall have it in my power to humble them and to curb their licentiousness after this, though I now stand alone in this dispute without any assistance."¹

Mr. Henry B. Dawson traces the origin of the Sons of Liberty to a still older combination of the members of the New York City Bar, formed about the year 1744, to render the judiciary free and independent from the exercise of kingly prerogative. It is of course, highly improbable that this earlier association was anything more than a general reform movement under the guidance of a few leading minds; but while these early combinations of New York attorneys have not of course the slightest connection with our present bar association, they show the interest that the lawyers of this State have ever taken in public matters, and their continued efforts to promote the cause of good government and the liberties of the people.

The real history of the Association of the Bar may be said to begin with the year 1870. "For several years after the war," as one writer has remarked, "there was a perfect witches' Sabbath of political corruption in New York City, which culminated during the mayoralty of Oakey Hall, who was elected in 1869."² There ensued what another author has characterized as a "saturnalia of injunctions and receiverships." Urged on by the "Times" and "Harpers' Weekly," a crusade was begun against the power of the Tweed Ring. "If it be the supineness, the guilty silence of the lawyers, as officers of the people's courts, which have brought us to our present pass," said the "Times" in an editorial published on December 16, 1869, "it is their reawakened public spirit and activity which must help us back to a better state of things; we must again proclaim that the bar must lead the way."

For some time previous, a number of New York attorneys had conferred with a view to an organization directed to this end, and the following pledge had been circulated for signatures:

(1) "The Sons of Liberty," a paper read before the New York Historical Society, May 3, 1859, by Henry B. Dawson.

(2) History of New York City, by Theodore Roosevelt, page 206.

"The undersigned, Members of the Bar of the City of New York, believing that the organized action and influence of the Legal Profession, properly exerted, would lead to the creation of more intimate relation between its members than now exist, and would, at the same time, sustain the profession in its proper position in the community, and thereby enable it in many ways to promote the interests of the public, do hereby mutually agree to unite in forming an association for such purposes."

The following were the signers :

*Wm. M. Evarts.	*G. M. Speir.	*Frederick Kapp.
*Henry Nicoll.	*Henry A. Cram.	Edmund Wetmore.
William Allen Butler.	*F. F. Marbury.	C. A. Hand.
*John K. Porter.	*Wm. E. Curtis.	*F. H. Churchill.
*A. J. Vanderpoel.	*Murray Hoffman.	*Henry E. Davies.
*C. Van Santvoord.	*Hamilton W. Robinson.	*R. M. Harrison.
*Thos. C. T. Buckley.	*J. E. Burrill.	*Robert Sewell.
D. B. Eaton.	J. W. Gerard, Jr.	E. G. Drake, Jr.
*A. Underhill.	*Avin C. Bradley.	Henry B. Hammond.
*D. D. Lord.	*George T. Strong.	*W. Q. Morton.
*F. N. Bangs.	*William Betts.	*Henry Whittaker.
*Henry H. Anderson.	J. W. Ostrander.	*Thomas M. Wheeler.
*Edwards Pierrepont.	*W. A. Ogden Hegeman.	Charles E. Whitehead.
*E. H. Owen.	William Barrett.	*John N. Whiting.
H. M. Alexander.	*David Thurston.	*G. M. Ogden.
*Ashbel Green.	William Henry Arnoux.	*Cadwallader E. Ogden.
*Wm. M. Prichard.	Charles C. Jones, Jr.	*Robert Benner.
Wm. G. Choate.	Franklin A. Wilcox.	Elbridge T. Gerry.
Richard S. Emmet.	Theodore M. Davis.	*Charles Tracy.
*Clarkson N. Potter.	Charles D. Ingersoll.	*Charles Edward Tracy.
*Thos. H. Rodman.	*Edm'd Randolph Robinson.	J. Evarts Tracy.
*B. F. Dunning.	*Henry R. Winthrop.	*George De Forest Lord.
*John J. Townsend.	Henry Hilton.	*John C. Dimmick.
Sidney Webster.	*John S. Jenness.	J. S. Winter.
C. A. Seward.	*M. Van Buren Wilcoxson.	*Joshua M. Van Cott.
*Charles M. Da Costa.	E. L. Fancher.	*George W. Parsons.
*Aug. F. Smith.	*Charles F. Sanford.	*Hiram Barney.
Luther R. Marsh.	John Whipple.	*John Sherwood.
Joseph H. Choate.	*F. S. Stallknecht.	*Walter L. Livingston.
Chas. F. Southmayd.	*Grosvenor P. Lowrey.	Albert Stickney.
*Waldo Hutchins.	Andrew Stewart.	*Henry A. Tailer.
*Lucien Birdseye.	*Edward Holland Nicoll.	Alfred L. Edwards.
*Charles P. Crosby.	Frederick Smyth.	Aug. R. Macdonough.
*Benjamin K. Phelps.	*Lyman W. Bates.	W. W. Goodrich.
Abraham R. Lawrence, Jr.	*James S. Huggins.	*S. Merrihew.
*Charles Coudert, Jr.	John Berry.	D. C. Van Cott.
*L. L. Coudert.	*F. J. Fithian.	*Beverly Robinson.
John Erving.	Edward Patterson.	William Jay.
*John H. Platt.	E. Ellery Anderson.	John A. Weeks.
*S. J. Tilden.	*Jos. B. Lawrence.	*Hooper C. Van Vorst.
H. M. Ruggles.	*Charles E. Strong.	*George H. Forster.
Everett P. Wheeler.	A. P. Whitehead.	James E. Dwight.
*Charles A. Rapallo.	*T. R. Strong.	James C. Carter.
*Charles P. Kirkland.	*Wm. J. Hoppin.	Jos. Larocque.
W. W. Macfarland.	*Lewis L. Delafield.	*W. Stanley.
Charles A. Davison.	*Charles F. Blake.	*Francis C. Barlow.
F. R. Coudert.	*Livingston K. Miller.	*Charles H. Hunt.
*Charles Jones.	Wm. S. Opdyke.	John S. Davenport.
*C. J. De Witt.	John E. Ward.	*John J. Latting.
J. Frederick Kernochan.	Charles B. Stoughton.	John L. Cadwalader.
*J. W. Edmonds.	Albert Mathews.	*Edward H. Anderson.
William Hildreth Field.	Flamen B. Candler.	*Charles Nettleton.
*Charles H. Glover.	*Philo T. Ruggles.	*John A. Foster.
Buchanan Winthrop.	*B. Roelker.	*Smith E. Lane.
*Frank E. Kernochan.	*William Tracy.	Thomas E. Stillman.

*Deceased.

Elial F. Hall.	*Edgar S. Van Winkle.	*Thomas C. Ingersoll.
*John M. Knox.	Ch. Francis Stone.	Richard H. Clarke.
Herbert B. Turner.	George W. Soren.	Thomas H. Hubbard.
*Charles P. Kirkland, Jr.	George M. Miller.	*Morris S. Miller.
*John McKeon.	Wheeler H. Peckham.	*John G. Vose.
*Charles E. Butler.	*Theodore W. Dwight	Dwight H. Olmstead.
*S. P. Nash.	*Oscar Smedberg.	*James I. Roosevelt.
*Samuel E. Lyon.	*Henry J. Scudder.	*Frederick E. Mather.
*Alexander Hamilton, Jr.	*Townsend Scudder.	William Watson.
*David Dudley Field.	James P. Lowrey.	John H. Risley.
*E. W. Stoughton.	Henry D. Sedgwick.	C. B. Wheeler.
*James Emott.	*Richard H. Bowne.	*Edgar Ketchum.
Benj. D. Silliman.	*Smith Clift.	A. P. Ketchum.
*John Slosson.	Charles D. Burrill.	E. Ketchum, Jr.
Charles A. Peabody.	George C. Barrett.	*John Fitch.
*E. Louis Lowe.	Henry R. Beekman.	*Samuel G. Glassey.
*George N. Titus.	*Charles B. Moore.	*James R. Jessup.
*John P. Crosby.	Noah Davis.	*Joseph B. Varnum.
*Albon P. Man.	Julien T. Davies.	*P. W. Turney.
John E. Parsons.	Gerard Beekman.	*Osborne E. Bright.
*E. C. Benedict.	Eugene H. Pomeroy.	Benj. T. Kissam.
*J. S. Bosworth.	*Hamilton Morton.	Henry P. Townsend.

*Deceased.

In the latter part of December, 1869, a committee previously appointed for such purpose, consisting of Messrs. James C. Carter, Albert Mathews and Edmund Randolph Robinson proceeded to call a meeting, which was held on the evening of the first of February, 1870. The speakers were: James Emott, William M. Evarts, Henry Nicoll, Samuel J. Tilden and Edwards Pierrepont.

"It is not to be concealed," observed Judge Emott in addressing the meeting, "that there is a deep undertone of feeling among the lawyers who have signed this call and who make up this significant meeting, upon certain subjects. There is an undertone in what has been said which would require but little to bring into distinct utterance. We, as lawyers, feel deeply the complaints which are rife of abuses in the practice of law and the administration of the law."

Another of the speakers, the Hon. Samuel J. Tilden, going even further, made use of these words:

"As a class, as a portion of the community, I do not desire to see the bar combined except for two objects, the one is to elevate itself, to elevate its own standards, the other is for the common and public good. For itself nothing; for that noble and generous and elevated profession of which it is the representative, everything.

It cannot be doubted, we can none of us shut our eyes to the fact, that there has been, in the last quarter of a century, a serious decline in

the character, in the training, in the education and in the morality of our bar, and the first work for this association to do is to elevate the profession to a higher and better standard. If the bar is to become merely a method of making money, making it in the most convenient way possible, but making it at all hazards, then the bar is degraded. If the bar is to be merely an institution that seeks to win causes, and to win them by back-door access to the judiciary, then the bar is not only degraded but it is corrupt.

The bar, if it is to continue to exist, if it would restore itself to the dignity and honor which it once possessed, must be bold in defense, and, if need be, bold in aggression. If it will do its duty to itself, if it will do its duty to the profession which it follows and to which it is devoted, the bar can do everything else. It can have reformed constitutions, it can have a reformed judiciary, it can have the administration of justice made pure and honorable, and can restore both the judiciary and the bar until it shall be once more, as it formerly was, an honorable and an elevated calling."

A second meeting was held on February 15, 1870, at which permanent organization was effectuated under the name of the "Association of the Bar of the City of New York," a constitution and by-laws were adopted and the following officers chosen: President, William M. Evarts; Vice-Presidents, Samuel J. Tilden, James W. Gerard, Joseph S. Bosworth, John Slosson and Edgar S. Van Winkle; Treasurer, Albon P. Man; Corresponding Secretary, John Bigelow. In the constitution, which was then adopted, the following were defined to be the objects of the association:

"To maintain the honor and dignity of the profession of the law; to increase its usefulness in promoting the due administration of justice, and to cultivate social intercourse among its members."

The admission to membership of unworthy individuals was carefully guarded against in the by-laws. Candidates against whom five negative votes were cast in the committee on admissions (which consisted of twenty members) were not to be recommended, and candidates, even if so recommended, would be excluded by one negative vote in every five which should be cast by the members at large.

The association was not regularly incorporated as such until the passage by the Legislature of this State on April 28th in the following year of an act providing that "The Members of the Bar Association of the City of New York, of which William M. Evarts is president and all persons who shall hereafter be associated with them, are hereby created a body corporate under the name of 'The Association of the Bar of the City of New York,' for the purpose of maintaining the honor and dignity of the profession of the law, of cultivating social relations among its members, and increasing its usefulness in promoting the due administration of justice."

In the summer of 1871, the New York "Times" began the publication of the city's accounts, and in the next November, Tweed alone of all the members of the ring, succeeded in procuring an election, but great as was his audacity, did not dare to assume the duties of office.

Seven days after the election (which that year took place on November 7) a special meeting of the association was held, at which a committee was appointed consisting of Wheeler H. Peckham, William M. Prichard, James C. Carter, Noah Davis, John Slosson, Gilbert M. Speir and Joshua M. Van Cott, who were instructed "to inquire into the truth of the charges that have gained credit in this community reflecting upon the administration of justice in this city, and to ascertain whether the same have a just foundation in trustworthy evidence, and to report whether it is expedient for this association to take any and what measures in the premises." On January 4, 1872, the committee handed in a report advocating the removal from office of the guilty judges whose offenses, say the committee, consisted of gross abuse of the powers of such judges and the courts held by them, respectively, in the granting of injunctions, in the creating of receiverships and the appointment of receivers, and transferring to them vast amounts of property, both of corporations and individuals; in abusing the power to appoint referees, and in making excessive allowances to receivers, referees and others for purposes not justified by law; in abusing their authority in the manner of holding courts; in making improper ex-parte orders out of court, and in deciding causes and motions without a hearing in court; in abusing the writ of habeas corpus,

by using and permitting its use for unlawful purposes and in improperly withholding relief under the writ; in attempting the intimidation of counsel in the discharge of duty toward their clients, and in showing undue favoritism to other counsel and attorneys for their personal or professional advancement; in gross and indecorous conduct while sitting in court, tending to bring the office of judge into popular contempt; in various acts indicating the influence of corruption upon their official conduct and decisions, and finally, in so perverting judicial authority by the use of devices under the forms of law as to enable individuals and corporate officers to usurp and exercise unlawful powers, seize and convert property, accomplish nefarious designs and evade justice.”

The association having approved the report, a memorial was prepared urging a rigid investigation of the charges by the Legislature and a committee selected by whom such memorial might be presented. This committee consisted of Messrs. Joseph H. Choate, Stewart L. Woodford, George M. Gilbert, John E. Parsons, Henry Nicoll, Morris L. Miller, Noah Davis, Charles Tracy, Andrew Boardman, Charles H. Hunt, Stephen P. Nash, E. R. Lawrence, Jr., William R. Martin, John McKeon, E. Randolph Robinson and Joshua M. Van Cott.

In the early part of February, 1872, the Assembly, through its Judiciary Committee, began the taking of testimony in proceedings looking to the removal of Justices George G. Barnard and Albert Cardozo of the Supreme Court. Subsequent action was also taken against John H. McCunn, a Judge of the Superior Court of New York City. John E. Parsons, Joshua M. Van Cott, and Albert Stickney represented the Bar Association throughout.

The result is well known. On May 2d, Judge Cardozo resigned to avoid impeachment, the appeals of his friends added to his own, preventing his disbarment. He promised to leave for the West but broke his word and resumed practice in New York City. On July 2d, Judge McCunn was removed from office by unanimous vote of the Senate.

Barnard materially injured his own cause by appearing before the committee in person and demonstrating the truth of the charges of

unseemly behavior on the bench, and by showing his hearers how low an opinion of his functions, it is possible for a magistrate to have.¹ "The Judge," he said, "who holds the chambers owns the patronage; it belongs to him, and he selects whom he pleases regardless of any suggestion of counsel or dictation from them. . . . I have succeeded in life by aiding my friends and not my enemies." On August 19th he was adjudged guilty by a Court of Impeachment, consisting of the Senate and Court of Appeals, the decision being unanimous, and in addition, was, by a nearly unanimous vote, forever disqualified from again holding public office.²

The expense of these prosecutions amounted to nearly thirty thousand dollars, the greater portion of which was contributed by members of the association. One effect which they had was to cause a strong popular feeling to arise in favor of the abolition of an elective Judiciary and the substitution of an appointive one which found expression in the submission to the people in 1873, of the following constitutional amendment couched in the form of two questions: First. "Shall the Chief Justice and the Associate Judges of the Court of Appeals and the Justices of the Supreme Court be hereafter elected or appointed?" Second. "Shall the Judges of the Superior Courts of New York City and Brooklyn, of the Court of Common Pleas of Buffalo, and the several County Judges throughout the State be hereafter elected or appointed?"

While this was favored by the Association, it was, nevertheless, defeated at the subsequent election.³

In 1872, numerous complaints having been made with regard to the method of administration in vogue in many of the public offices, a committee was appointed and an investigation made which revealed a state of corruption second only to that of Tweed and his associates. In the Register's office over sixty thousand dollars a year was shown to have been realized from illegal fees. In 1874, Messrs. Wheeler H. Peckham, John McKeon, Clifford A. Hand and Charles Tracy repre-

(1) Memorial History of the City of New York, Vol. III., page 560.

(2) The vote stood 33 to 2.

(3) The vote stood: For election of higher judges, 319,979; for appointment, 115,337; for election of lower judges, 319,660; for appointment, 119,725.

senting the association, appeared before the Legislature in advocacy of a change in the existing law which would abolish the fee system as far as practicable, and substitute in its place the payment of regular salaries to public officials, all fees still permitted to exist being paid into the city treasury.

A few years later, formal charges of "neglect of duty in office, malversation in office, malfeasance in office and extortion" were brought against the Sheriff, County Clerk and Register.¹ An investigation was thereupon had, resulting in the removal of the County Clerk (Gumbleton), the Governor deciding, however, that the charges against the Register and Sheriff were not sufficiently proven.

It is to be noted that the association during the campaigns of 1871 and 1872 studiously refrained from assuming an attitude that might, by any possibility, be construed as partisan. Its only aim then was, and has since been, to see to it that there exists a bench and bar which shall, as far as possible be kept pure and uncorrupt. In 1881 its position was thus stated :

"Any active participation in a canvass for judicial offices would be distasteful to us, but it has been necessary in the past, and it may be necessary in the future. If so, we shall not shrink from it. We felt justified in taking an active part in the impeachment and removal of two judges. We cannot doubt that this association will think it within its province to take all steps necessary to insure the choice of suitable successors."²

But two other instances appear in which the association has had occasion to interfere with the judiciary. On March 8, 1892, a committee of nine was appointed consisting of Frederick R. Coudert, James C. Carter, John E. Parsons, Clifford A. Hand, Edmund Randolph Robinson, John L. Cadwalader, William B. Hornblower, Elihu Root, and Albert Stickney to investigate the conduct of Isaac N. May-

(1) The Committee appointed by the association to look after the popular interest in this matter consisted of Artemas H. Holmes, Henry E. Knox, George De Forest Lord, Charles F. Mac Lean and J. Adriance Bush.

(2) The following provision is contained in Section XVII. of the By-Laws and is worthy of note in this connection. "At each annual meeting there shall be appointed by the presiding officer a committee of ten, to be known as the committee on judicial nominations, whose duty it shall be to consider the fitness of candidates nominated or proposed to be nominated by political parties or otherwise, for election or appointment to judicial office, and to confer on that subject with other organizations or with nominating conventions, and with power to recommend to the association, at a special meeting or otherwise, such action in respect to candidates as they may deem necessary or proper."

nard as Deputy Attorney-General in regard to the Dutchess County election returns. What the action of the latter had been in this regard is too well known to need repetition here. While no steps were taken by the association at the time the offense was committed, it was felt upon the appointment of Mr. Maynard to a Judgeship in the Court of Appeals that the matter could not lightly be passed over. On March 22d, 1892, the Committee handed in its report setting forth in full the acts of Judge Maynard,¹ and recommending the adoption of the following resolution by the association, which was done :

“Resolved, that a copy of this report be transmitted to the Senate and Assembly, and that those bodies be respectfully requested to consider whether the conduct of Judge Isaac H. Maynard, therein mentioned, does not demand an exercise of the power to remove judges vested by the Constitution in the Legislature.”

While no official notice was taken of this by the Legislature, and in that respect, the action of the association may be said to have produced no results, it undoubtedly contributed greatly in the subsequent campaign to bring about Judge Maynard's defeat at the polls.

Reference must also be made to the course adopted by the association during the election of 1898. At a special meeting held on September 20th of that year, a resolution was passed instructing the Committee on Judicial nominations to invite delegates from the several political parties to the conference, “with a view to securing the nomination and election of suitable candidates.” After full consideration, the Committee also prepared and caused to be circulated a petition to the Judiciary Committee of the Democratic and Republican parties endorsing the candidacy of Judges Joseph F. Daly and William N. Cohen. This petition was signed by over 3,500 members of the New York Bar, somewhat more than two-thirds of the signers being lawyers

(1) The report of the Committee, in referring to the conduct of Judge Maynard, states that :

“These extraordinary proceedings have a momentous political interest to the people of the whole State and may well arrest their attention and call for their action. The members of this association, as citizens, may take such views of these proceedings as their convictions may approve. But with the political results we have no concern, except such as we have in common with our fellow citizens.

“This Association has, however, by the resolution under which this Committee derives its authority, taken the view that there is one feature of these transactions in which it has an especial interest. It has taken notice of the fact that Mr. Maynard, who took an important part in them has since been elevated to the bench of our highest judicial tribunal; and that by reason of this participation his fitness for that office, so important to the whole community, and especially important to us, has been seriously drawn in question.”

not members of the association, and it was in due time presented to the nominating conventions of the several parties. While the Democratic party refused to nominate Judges Daly and Cohen, the candidates actually nominated by them in the main, met with the approval of the Committee as to their character and fitness, with one exception, who, the association resolved, was not a fit person to be a Justice of the Supreme Court. A resolution was adopted condemning the action of the Democratic party, especially in the case of Justice Daly, and providing further for the appointment of a committee of fifty members charged "with the duty of actively promoting the canvass and election of judges Daly and Cohen." In spite of these efforts, however, both were defeated.

Due to another reform movement initiated by the association, is the change that has been made in the rules for admission to the bar, though the credit for having brought this to completion must rather rest with the State Bar Association. Instead of a multitude of separate committees the State now has one Board of Law Examiners who conduct a uniform system of examinations.

A prominent feature in the work of the association is its supervision of proposed legislation. A copy of every act introduced in the New York Legislature is sent to it and its course followed. The By-Laws provide for the appointment of a committee "on the Amendment of the Law," who shall be charged with the duty of watching all proposed changes and of proposing such amendments as in their opinion should be recommended by this association. Members are invited to send to this committee at any time suggestions of existing defects in the law and of any amendment which they may think advisable.

An illustration of this supervision which the association has exercised is shown in the case of the proposed Civil Code. As is well known to members of the bar the latter was in 1865 submitted to the legislature being designed to constitute one of five, the remainder being the Political and Penal Codes and the Codes of Civil and Criminal Procedure. In 1879 the act providing for the establishment of the

Civil Code was passed by the Legislature, but vetoed by Governor Robinson.

A committee consisting of Clifford A. Hand, Frederick R. Coudert, Elial F. Hall, Charles C. Beaman, Jr., David McClure and William B. Hornblower, appointed to examine the proposed act, rendered a report on March 15, 1881, declaring that in their opinion "the passage of the Statute would be an unmixed evil, fraught with incalculable mischief to every person directly interested in the administration of the law throughout the State," and that the proposed code was one which "mingled common law, statutory law and new law in one common mass with no designation to guide those who seek the proportions of the several ingredients."

The act in question, as is known, never became law. In 1881, it passed the Assembly by a vote of eighty-three to three, but was not passed by the Senate until 1882, the vote there standing twenty to eleven in its favor, but it was vetoed by the Governor. For five succeeding years was the act presented but continually failed of passage, and the attempt to procure its enactment was finally abandoned. It may be added that the association approved of the Penal Code which afterwards became law, but not of the proposed Code of Evidence.

Not the least of the duties which the Bar Association has assumed is that of investigating complaints against the official conduct of attorneys. To the member of the Bar unjustly accused, a means is afforded whereby a complete vindication may be secured, and the attorney who may have been guilty of conduct unprofessional in its nature is called to account for his actions and made to answer for them. The report of the Committee on Grievances shows that during the year 1898-1899, thirty-six complaints have been presented to it, involving charges against forty-two members of the bar, including one member of the association, of which nineteen have been dismissed because of their frivolous character, or because no attempt was made to substantiate them, or because they were not deemed to fall within the province or jurisdiction of the committee.

Several of these, however, were referred to the Legal Aid Society, and one was referred to the Association of the Bar of Queens County.

Twelve complaints of a substantial character, demanded and received serious and prolonged investigation. Of these, seven were dismissed, including one against the member of this association.

Five complaints directed against six members of the bar, the committee found to be well established, and in each case reported in writing to the Executive Committee, that in its opinion, each was such as required prosecution in the Courts. In three of these cases prosecutors have been appointed by the Executive Committee, and proceedings for the disbarment of the persons charged are now pending, or are about to be instituted before the Appellate Division. In one case a prosecutor was appointed but proceedings were abandoned because of inability to procure the necessary evidence, and in another case proceedings are stayed until the return of the offender to this country. Five cases remain before the committee undisposed of.

In 1896, the association left its old home in 7 West Twenty-ninth street and moved into the new building 43 West Forty-third street and 42 West Forty-fourth street. This magnificent structure completed and furnished at a cost of \$639,950,¹ seems destined to remain its home for many years yet to come. A magnificent law library consisting of 51,454 volumes is owned by the association, of which 38,427 volumes were purchased and 13,027 presented. The cost of the library for books and binding up to the present time has been \$178,557.48. During the year 1898-1899 alone there have been added 2,048 volumes, of which 901 were purchased and 1,147 donated. During that time the number of volumes which have been bound and rebound has been 3,868 at a cost of \$2,991.85.

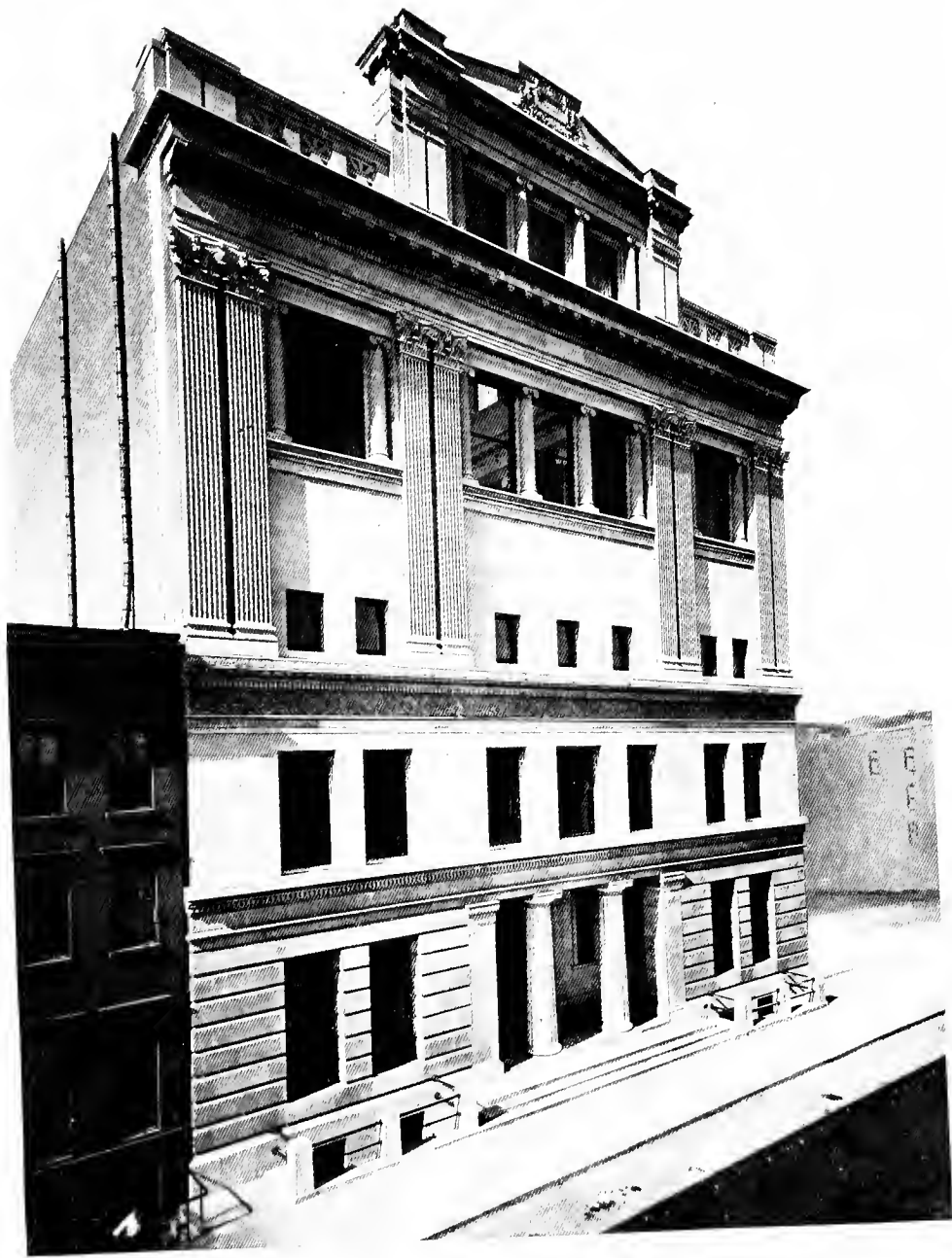
In this short resumé of the history of the association, mention can necessarily only be made of the more salient points, but enough has been said to demonstrate that it has indeed existed as a power for good. Owing its origin to an occasion which called into action the exercise of every quality of good citizenship, it has freely given its aid whenever required in the righting of any wrongs to the community among which it has its being. We have seen how it has been the motive force

(1) Of this sum, \$203,500 was paid for the land; \$380,700 for the building, and \$55,750 for furniture and hangings.

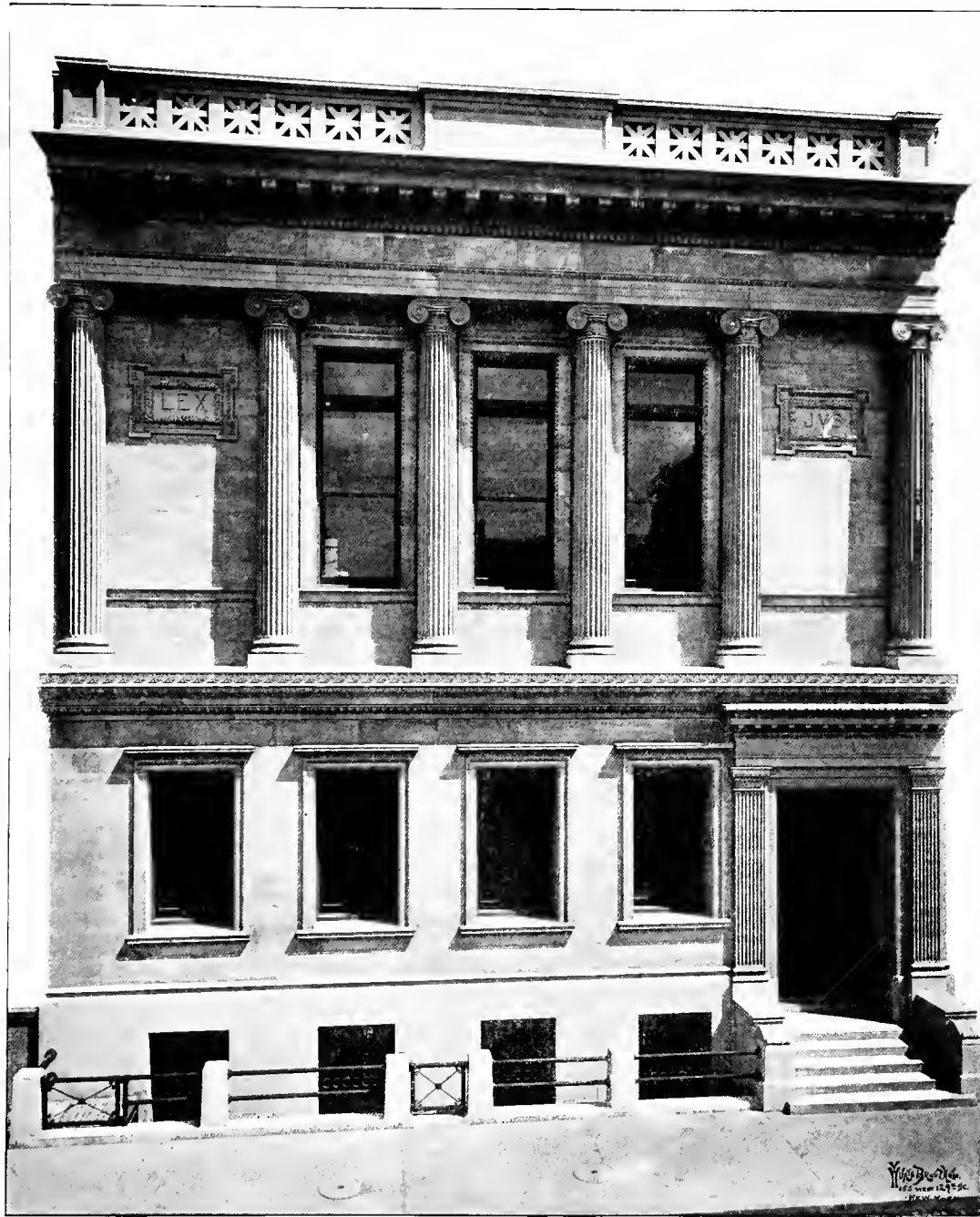
that drove from power that most contemptible of all objects, a corrupt judiciary and the endeavors made to accomplish its aim that the bench and bar of this city may remain worthy of the trust which must from very necessity be placed in them. From a membership of 231, the association has now¹ grown to one of 1558. Its increase in power is an added pledge of greater usefulness and a greater capacity for good to the citizens of this city.

(1) 1899.

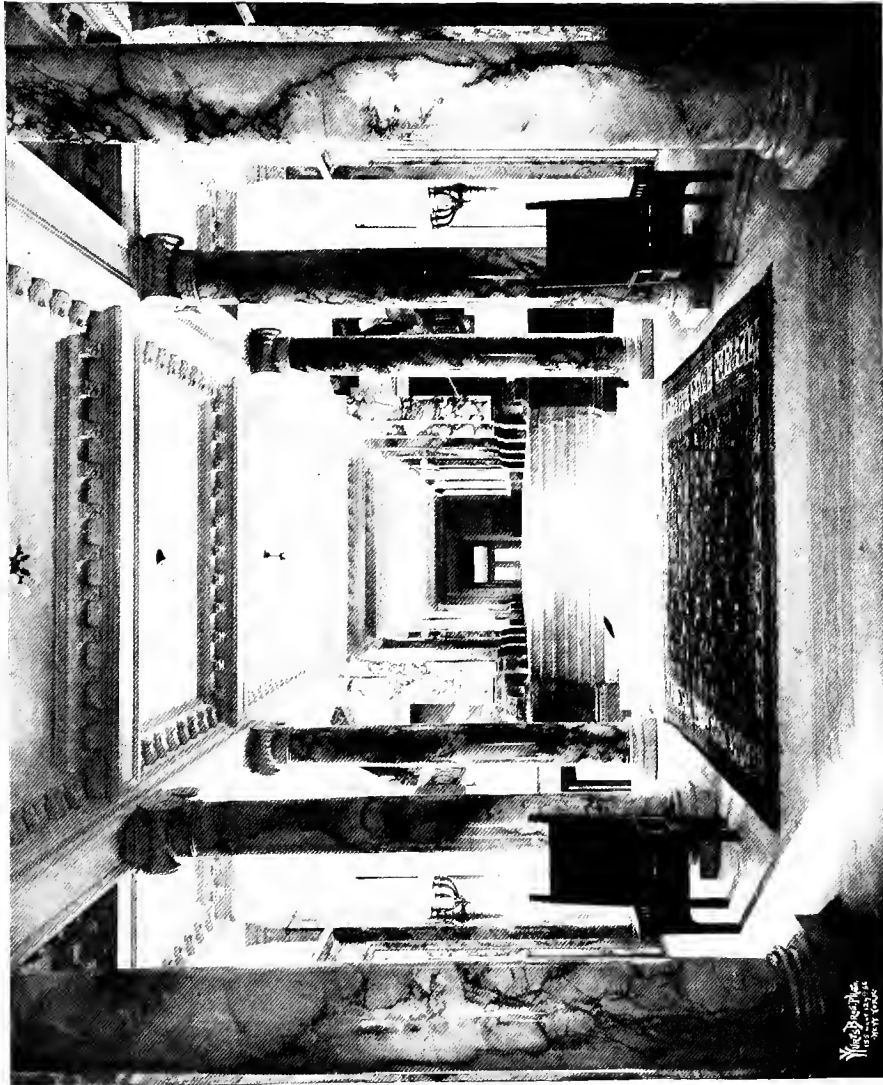




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FORTY-THIRD STREET ENTRANCE.



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FIRST FLOOR LANDING.



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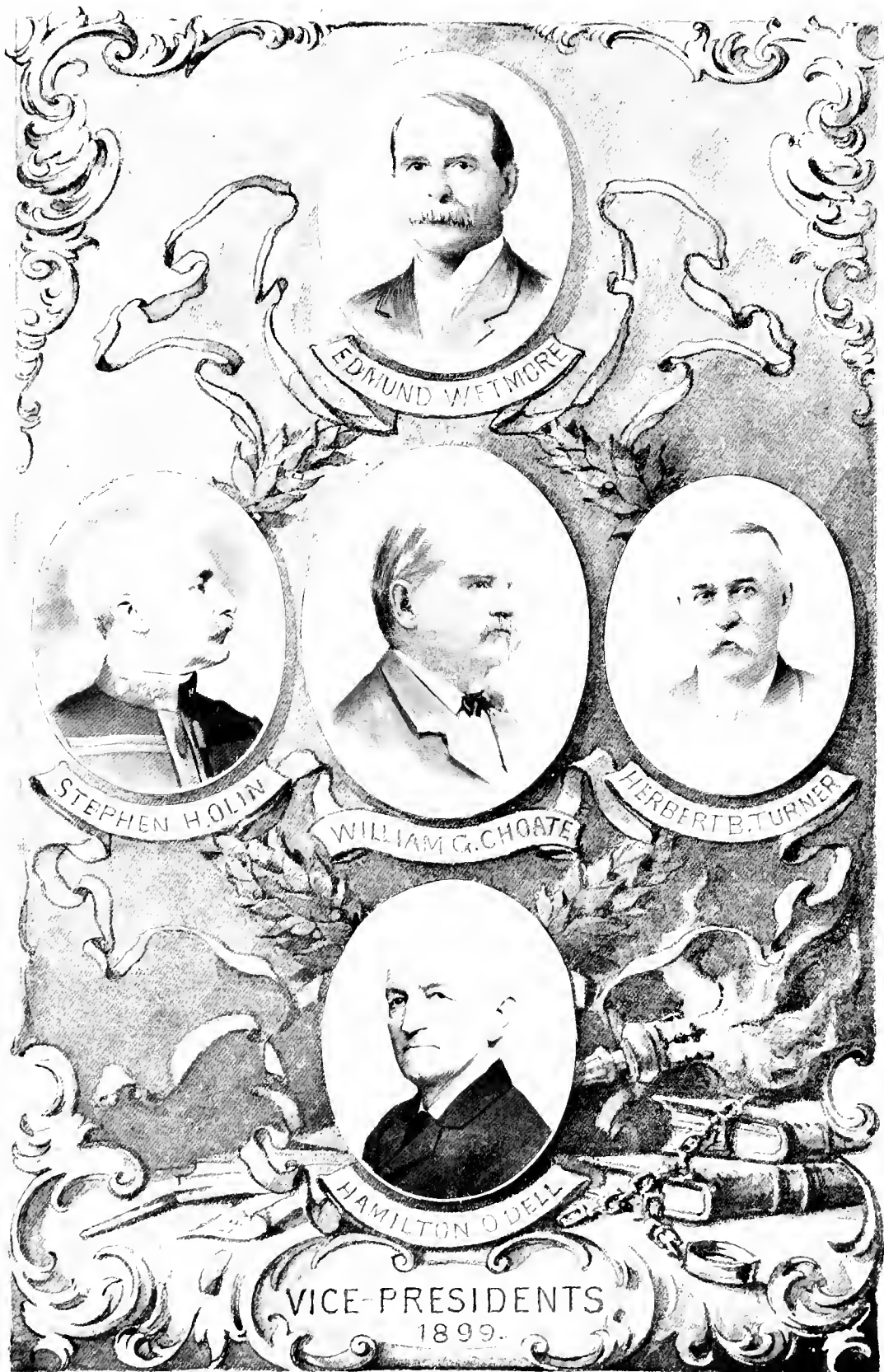


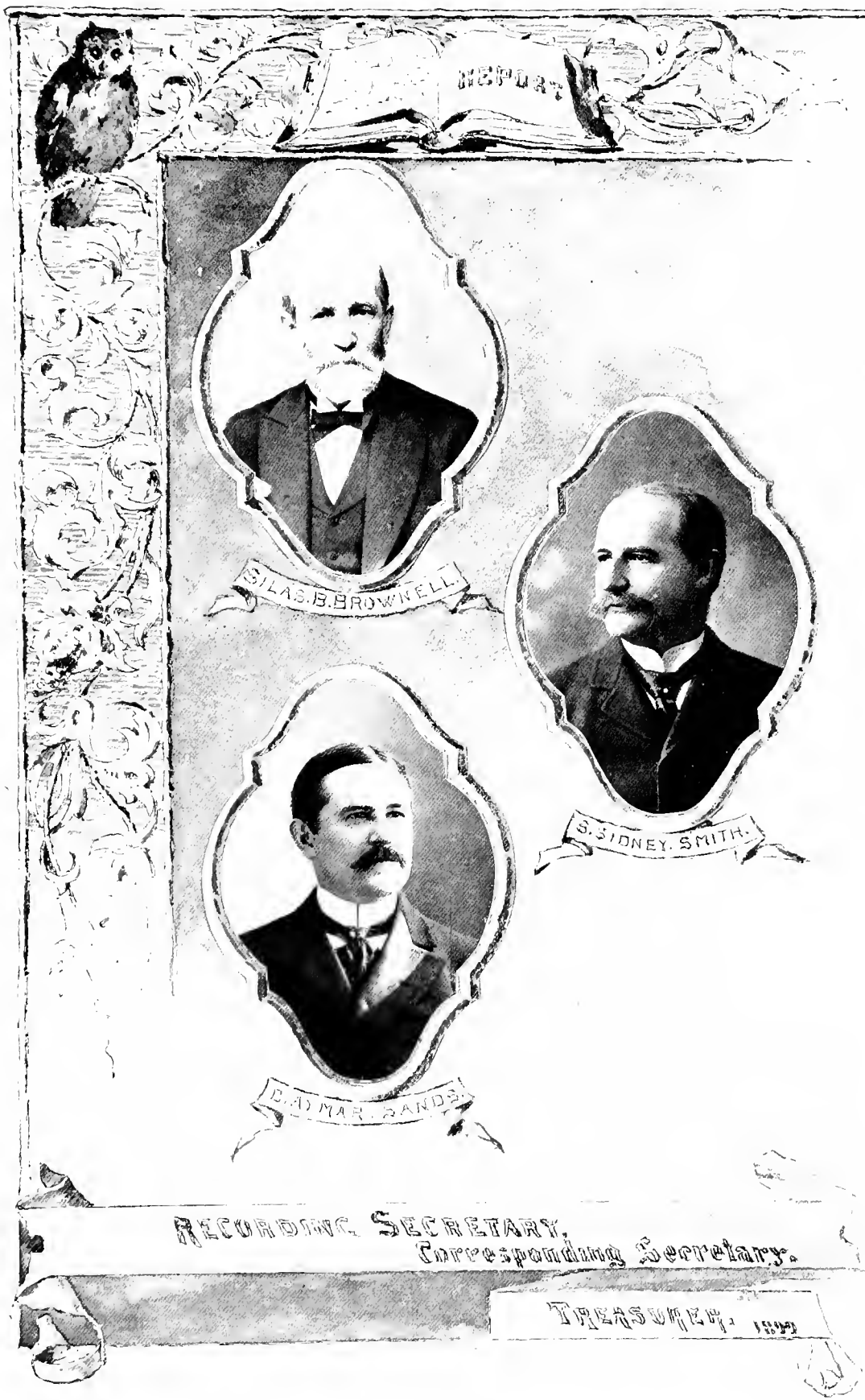
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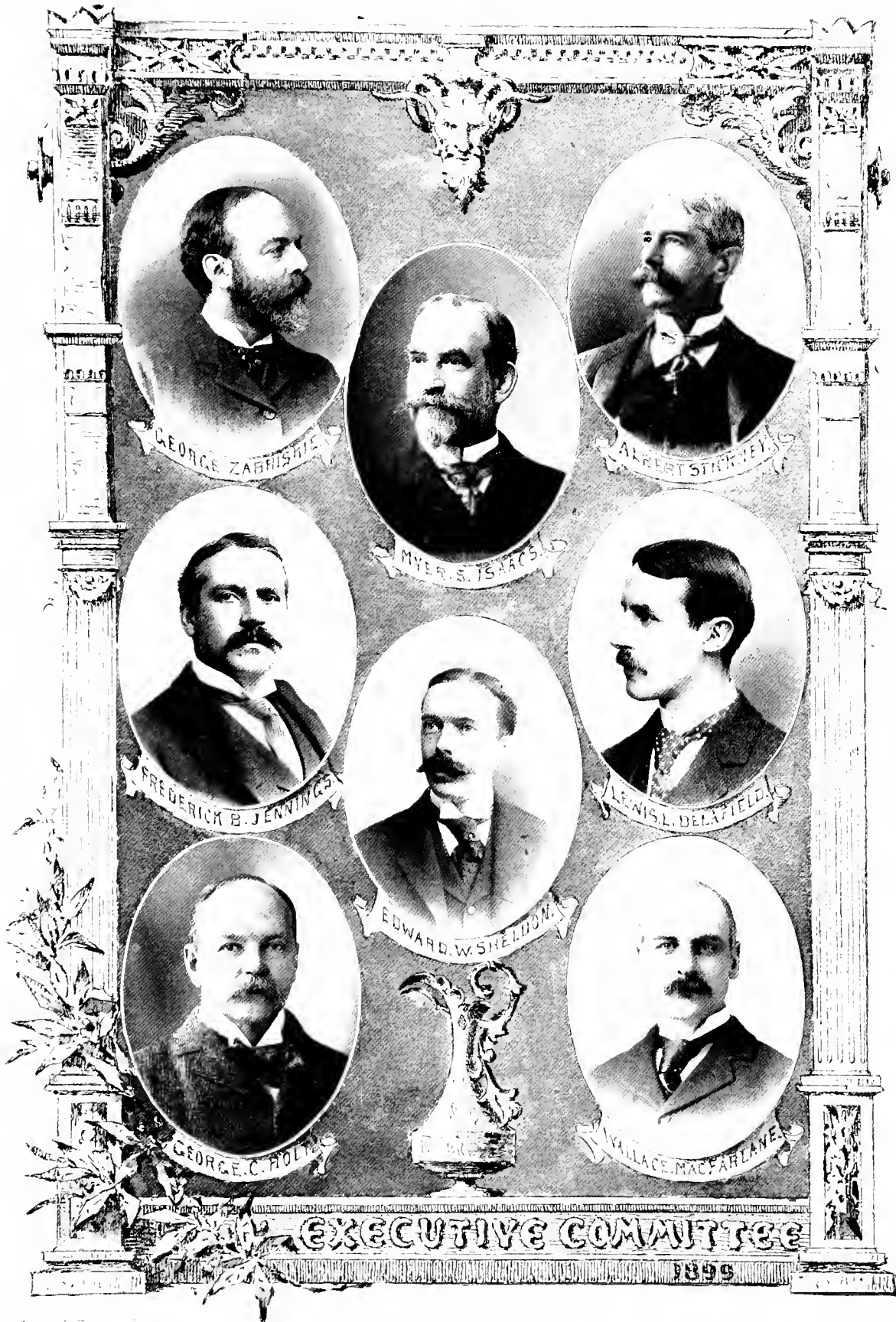
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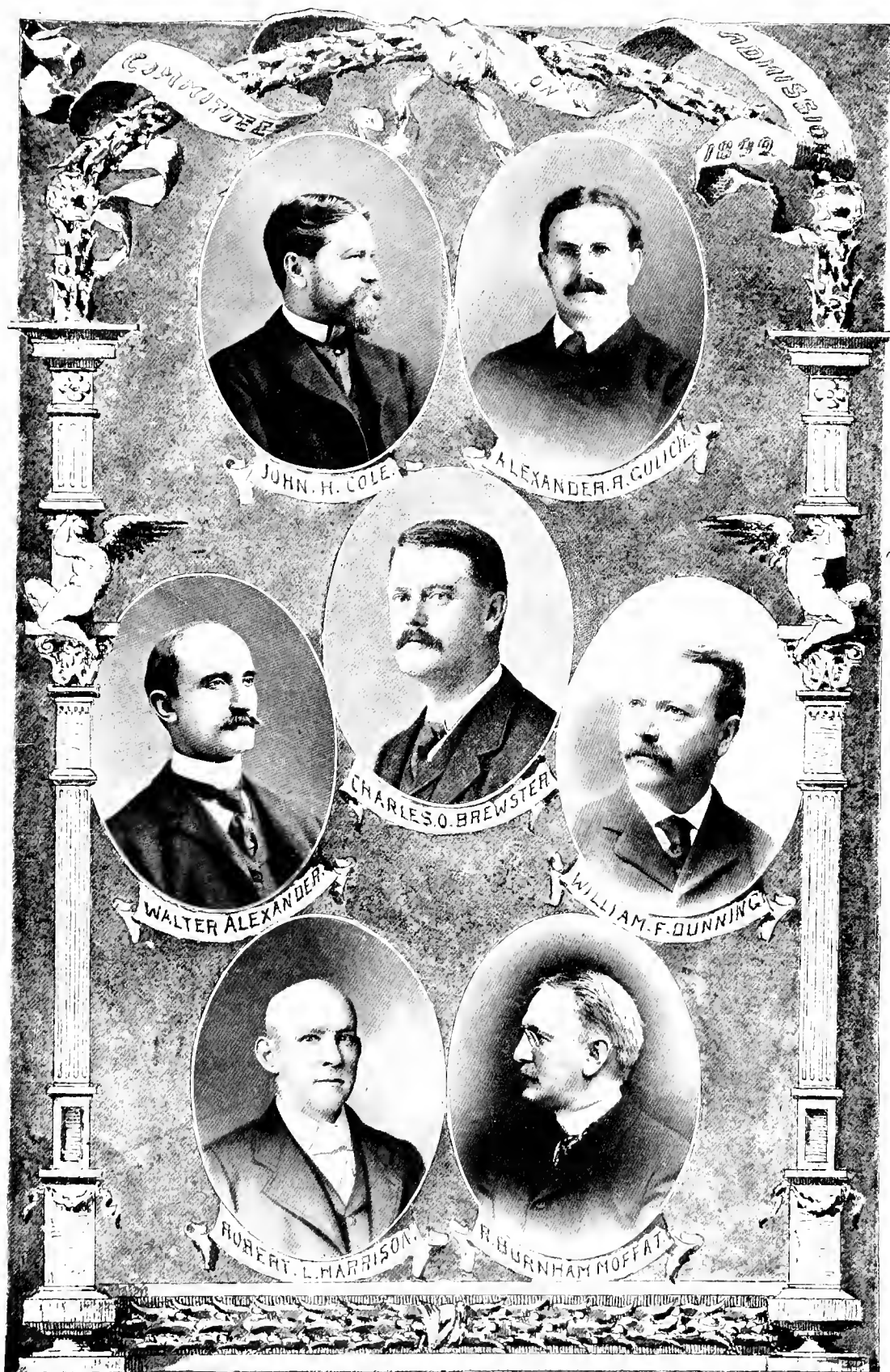
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RECORDING SECRETARY.
Corresponding Secretary.

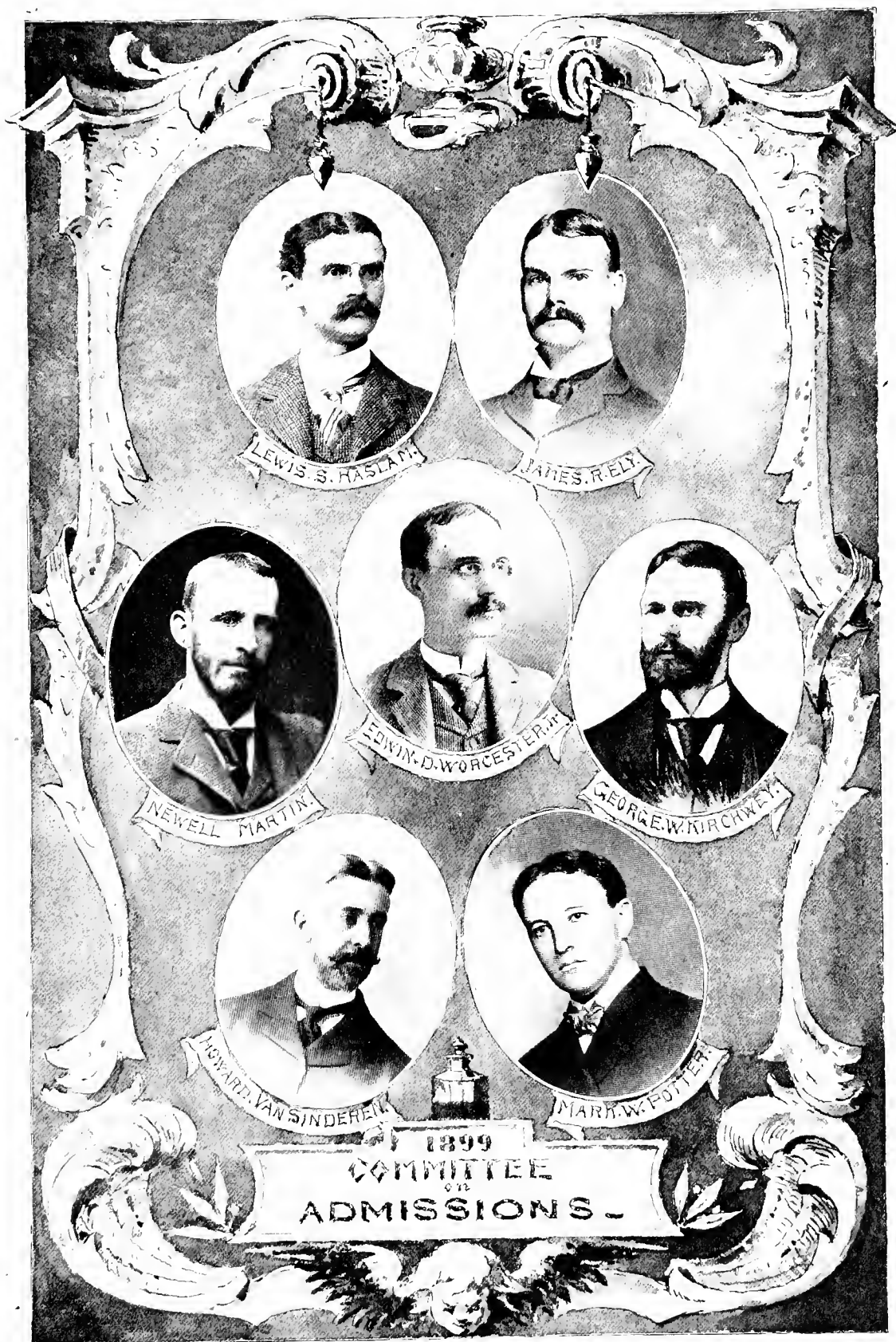
TREASURER. 1899

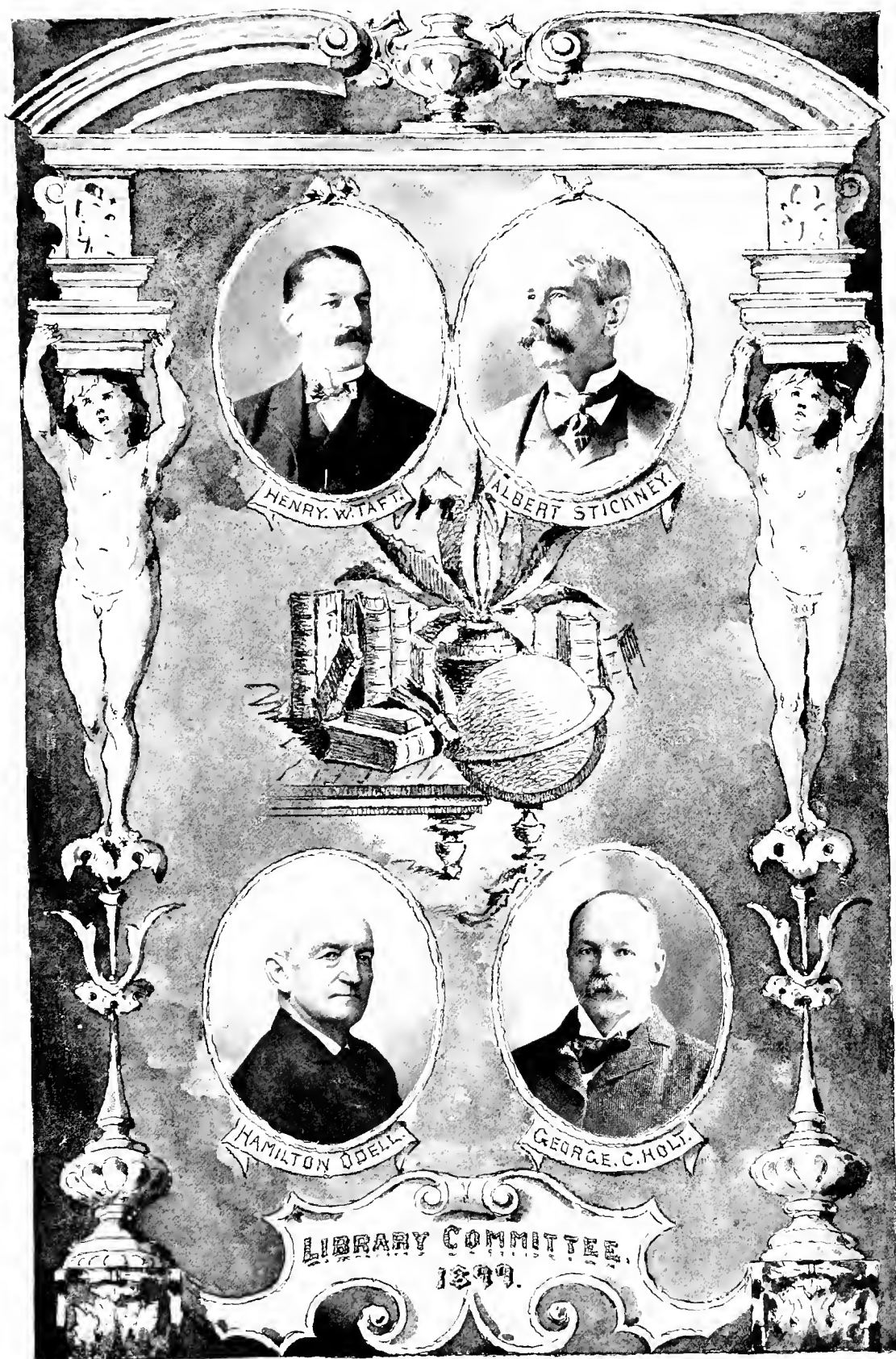






















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1890.



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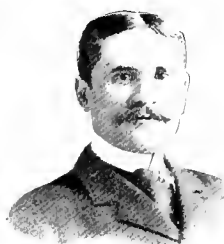
EVERETT J. ESSELSTYN.
1890.



ARTHUR VON BRIESEN.
1890.



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1890.



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1890.



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1890.



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1896.



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1896.



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1896.



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1896.



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1896.



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1896.



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1896.



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1897.



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JOHN A. DUTTON.
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1897.



JOHN HUBBARD.
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1898.



AUGUST ZINSSER, JR.
1898.



JOSEPH LAROCQUE, JR.
1898.



JULIUS J. FRANK.
1898.



GEORGE B. BOYD.
1898.



ALFRED JARETZKI.
1898.



QUINCY WARD BOESE.
1898.



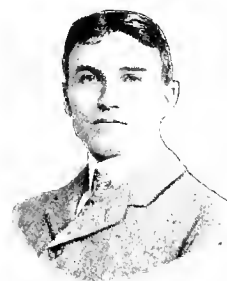
HENRY M. EARLE.
1898.



FRANK ALEXANDER ERWIN.
1898.



CARL A. HANSMANN.
1898.



HENRY J. HEMMENS.
1898.



SAMUEL HOFF.
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J. CULBERT PALMER.
1898.



WALTER C. FLANDERS.
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WILLIAM C. BREED.
1898.

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1899.



WILLIAM GEORGE WRIGHT.
1899.



BOARDMAN WRIGHT.
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EDWIN T. RICE, JR.
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JOHN A. MATTISON.
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LOUIS C. RAEGENER.
1899.



HENRY L. SCHEUERMAN.
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HENRY W. MAYER.
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GEORGE O. REDINGTON.
1899.



CHARLES EDW. WOODBRIDGE.
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EDWIN C. DUSENBURY.
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JOHN HARDY.
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WALTER T. ROSEN.
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WILLOUGHBY L. WEBB.
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DAVID J. GALLERT.
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C. A. MOUNTJOY.
1899.



CHAS. HOWARD MACDONALD.
1899.



ARCHIBALD DOUGLAS.
1899.



WILLIAM BEERS CROWELL.
1899.



ALEXANDER W. FRASER.
1899.



ROWLAND COX.
1899.

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GEORGE P. ANDREWS,
Justice of the Supreme Court.
1879.



P. HENRY DUGRO,
Justice of the Supreme Court
1885.



JAMES FITZGERALD,
Justice of the Supreme Court.
1888.



JOHN W. GOFF,
Recorder.
1891.



JOHN J. FREEDMAN,
Justice of the Supreme Court.
1876.



JAMES M. VARNUM,
Surrogate of New York, 1899.
1871.



MARTIN J. KEOGH,
Justice of the Supreme Court.
1888.



FRANCIS M. SCOTT,
Justice of the Supreme Court.
1871.



MORGAN J. O'BRIEN,
Justice of the Supreme Court.
1878.



MARTIN T. MCMAHON.
1876.

HONORARY MEMBERS.

❧ ❧ **Autographs.** ❧ ❧

Samuel J. Tilden
Frank Cunningham

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Chas. P. Blaney

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Edward H. Floyd-Jones

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Walter O. Olathe
Colonel Olathe.

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Harold G. Villard

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Newbold L. R. Edgar

Arthur L. Livermore

Joseph M. Howe

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Wm. H. H. H.

Wesley H. H. H.

Franklin H. H. H.

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Chas. H. H. H.

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John W. H. H.

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Marianne Daly
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Thos. J. Dyer

Thos. J. Dyer

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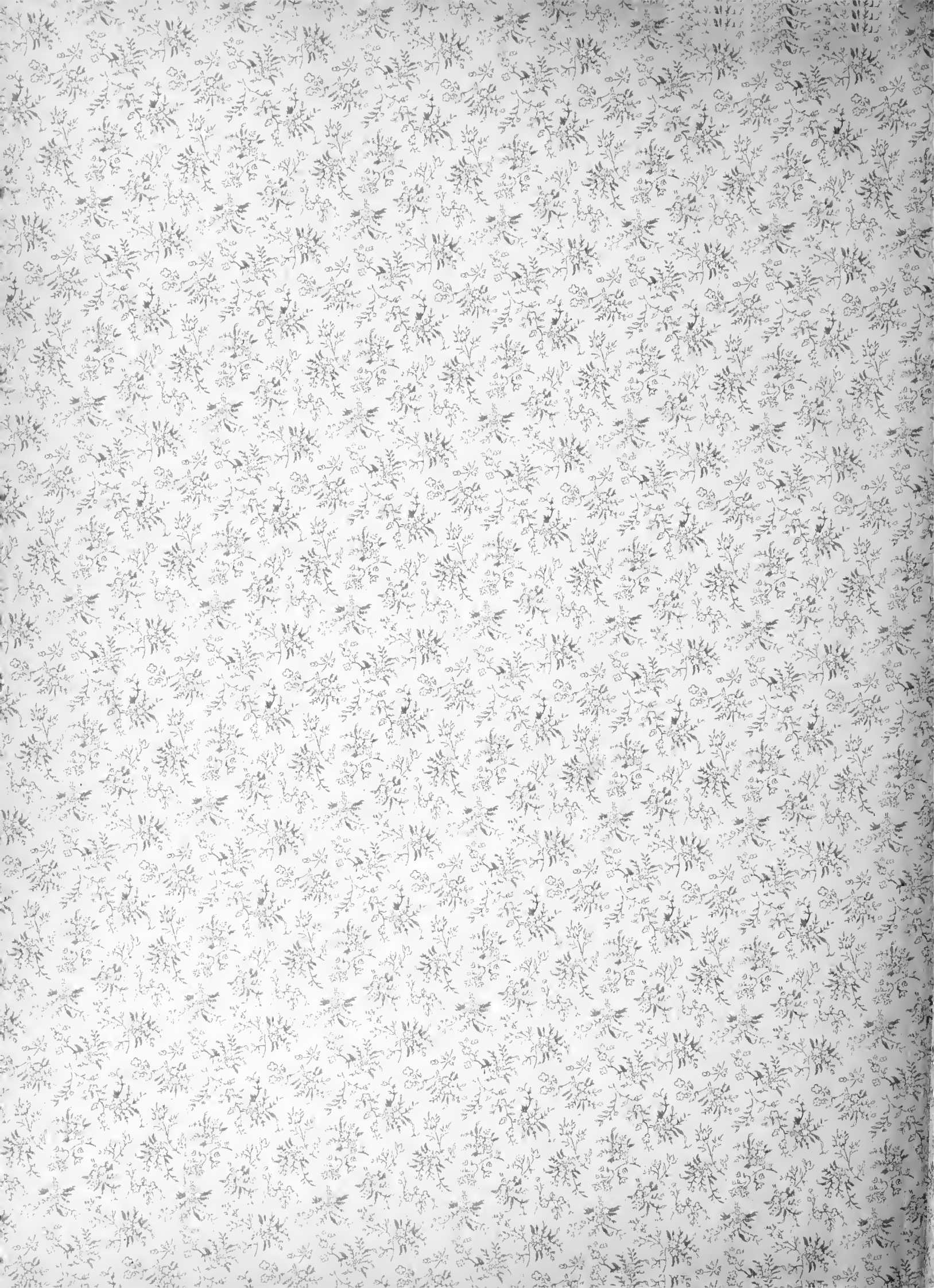
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